

CR 11

660

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

MEMORANDUM TO
ROBERT HEINNEMAN
UNITED STATES CLERK OF THE COURT

ROSS, J.

★ SEP 26 2011 ★

BROOKLYN OFFICE

RE: Philip Defonte
Docket Numbers: (D/NJ) 2:06CR0081-01
(C/UT) DUTX205CR000266-008
Request for Transfer of Jurisdiction

BLOOM, M.J.

Reference is made to the above captioned defendant who is currently serving two terms of supervised release, which are running concurrently, and are as follows:

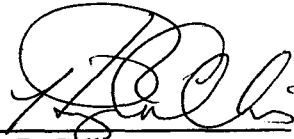
On August 22, 2007, the subject was sentenced by the Honorable Ted Stewart, United States District Judge for the Central Division of Utah, as follows: 41 months custody, to be followed by a term of 3 years supervised release, a fine in the amount of \$10,000 and a \$200 special assessment fee. This sentence followed the subject's plea of guilty to Mail Fraud and Unauthorized Distribution of a Drug without a Pedigree with Intent to Defraud, violations of 18 U.S.C. 1341 and 21 U.S.C. 331(t) and 333 (a)(2) respectively.

Secondly, on November 8, 2001, the subject was sentenced by the Honorable William J. Martini, United States District Judge for the District of New Jersey, as follows: 18 months custody to be followed by a term of 3 years supervised release and a \$100 special assessment fee. This sentence was the result of the subject's plea of guilty to Conspiracy to Defraud the United States, a violation of 18 U.S.C. 371.

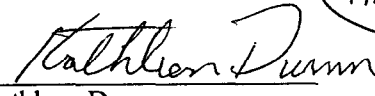
The defendant completed the custodial portion of his sentences on December 4, 2009, and has been supervised in the Eastern District of New York since that time.

It is requested that your office assign these cases to a U.S. District Judge for the Eastern District of New York as there is currently a need to have Defonte's conditions modified. Please find the necessary probation form 22s attached hereto. Your assistance in this matter is greatly appreciated. If you have any questions, please feel free to contact the undersigned at either (347) 534-3519.


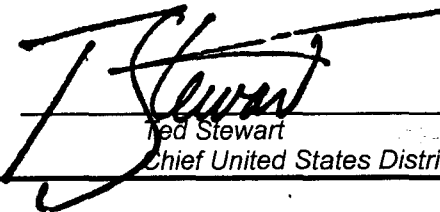
Submitted by:


Harry R. Collins
U.S. Probation Officer

Approved by:


Kathleen Dunn
Supervising U.S. Probation Officer

September 26, 2011

PROB 22 <div style="text-align: center;">TRANSFER OF JURISDICTION</div>		DOCKET NUMBER (Tran. Court) 2:05-CR-00266-008-TS DOCKET NUMBER (Rec. Court)				
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE Philip Robert Defonte 71 Harbour Court Staten Island, New York 10310 IN CLERK'S OFFICE US DISTRICT COURT ★ SEP 26 2011 ★ <div style="text-align: center;">BROOKLYN OFFICE</div>		<div style="text-align: center;">  </div> DISTRICT Utah DIVISION Central NAME OF SENTENCING JUDGE Ted Stewart <div style="text-align: right; font-size: 1.2em; font-weight: bold;">ROSS, J.</div> <div style="text-align: right; font-size: 1.2em; font-weight: bold;">BLOOM, M.J.</div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">DATES OF SUPERVISION TERM</td> <td style="width: 33%;">FROM December 4, 2009</td> <td style="width: 33%;">TO December 3, 2012</td> </tr> </table>		DATES OF SUPERVISION TERM	FROM December 4, 2009	TO December 3, 2012
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OFFENSE 18 U.S.C. § 1341 - Mail Fraud, and 21 U.S.C. §§ 331(t) and 333(a)(2) - Unauthorized Distribution of a Drug Without a Pedigree With Intent to Defraud						
PART 1 - ORDER TRANSFERRING JURISDICTION UNITED STATES DISTRICT COURT FOR THE DISTRICT OF <u>Utah, Central</u> IT IS HEREBY ORDERED that pursuant to 18 U.S.C. § 3605 the jurisdiction of the defendant named above be transferred with the records of the Court to the United States District Court for the District of <u>Eastern New York, Brooklyn</u> upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court. <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 30%;"> <u>7/21/11</u> Date </div> <div style="width: 60%; text-align: center;">  Ted Stewart Chief United States District Judge </div> </div>						
PART 2 - ORDER ACCEPTING JURISDICTION UNITED STATES DISTRICT COURT FOR THE DISTRICT OF <u>Eastern New York, Brooklyn</u> IT IS HEREBY ORDERED that jurisdiction over the above-named defendant be accepted and assumed by this Court from and after the entry of this order. <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="width: 40%;"> _____ Effective Date </div> <div style="width: 40%; text-align: center;"> _____ United States District Judge </div> </div>						

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